**UNITED NATIONS**

**E**

**Economic and Social Council**

Distr.
GENERAL

E/CN.4/Sub.2/2002/NGO/2
17 June 2002

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-fourth session
Item 6 (a) of the provisional agenda

# OTHER HUMAN RIGHTS ISSUES: WOMEN AND HUMAN RIGHTS

## Written statement* submitted by Human Rights Advocates, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 June 2002]

---

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 0 0 2 0 1 4 0 9 *

ENG

Situation of women and girls in the territories controlled by Afghan armed groups

Human Rights Advocates urges the Sub-Commission to continue devoting attention to women's' and girls' human rights in areas occupied by Afghan armed forces. The Sub-Commission has repeatedly acknowledged that the human rights of women and girls in Afghanistan have long been imperiled. / SC Res. 1998/17; SC Res. 1999/14; SC Res. 2000/11; SC Res. 2001/15. / The Commission on Human Rights ("the Commission") has also long recognized the importance of monitoring the situation of human rights in Afghanistan, having appointed a Special Rapporteur on Afghanistan, and having repeatedly renewed his mandate. / CHR Res. 1984/55; CHR Res. 1985/38; CHR Res. 1987/58; CHR Res. 1988/67; CHR Res. 1989/67; CHR Res. 1990/53; CHR Res. 1991/78; CHR Res. 1992/68; CHR Res. 1993/66; CHR Res. 1994/84; CHR Res. 1995/74; CHR Res. 1996/75; CHR Res. 1997/65; CHR Res. 1998/70; CHR Res. 1999/9; CHR Res. 2000/18; CHR Res. 2001/13; CHR Res. 2002/19. / The Commission has also specifically requested the Special Rapporteur on Afghanistan to apply a gender perspective in his reporting and focus particularly on women's' human rights. / CHR Res. 1996/75; CHR Res. 1997/65; CHR Res. 1998/70; CHR Res. 1999/9; CHR Res. 2000/18; CHR Res. 2001/13. Despite continuing violations of Afghan women's rights, the Commission, in its last resolution on Afghanistan, disappointingly failed to ask the Special Rapporteur on Afghanistan to use a gender perspective in his reporting. CHR Res. 2002/19.

Afghan women and girls are still subject to violence, and deprived of employment, education, and health care. It is important to note that, at this point--when Afghanistan is at a crossroads in the shape of its government--it has not been announced that the restrictions the Taliban imposed on women have been lifted. / Kristie Reilly, Left Behind: An Interview with RAWA's Sahar Saba, IN THESE TIMES, Mar. 29, 2002. / Additionally, Afghan women's' and girls' human rights have been endangered in a particularly precarious way since October 2001, heightening the need to pay further attention to their situation. Bombing has led to extensive flow of refugees and to loss of lives, including those of women and children. / U.N. Secretary-General, Interim Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan, U.N. GA, 56th Sess., Agenda item 119(c), at para. 10, U.N. Doc. A/56/409/Add.1 (2001). / Also troubling is that upon the fall of the Taliban, a security vaccuum was created. International peacekeeping forces operate in Kabul and surrounding areas, as factions continue to struggle for power elsewhere. / Andrew Bushell, Warlords arm Afghans in refugee camps, Washington Times, Jan. 24, 2002. / With rival warlords continuing to disregard human rights standards since the fall of the Taliban, the rights of Afghan women and girls continue to be endangered in numerous ways. Violent crimes are occurring, some against women, and others allegedly are ethnically motivated, causing refugees to flee across borders. / Report on the Situation of Human Rights in Afghanistan, U.N. CHR 58th Sess., at para. 44, U.N. Doc. E/CN.4/2002/43. / Until security is truly returned to Afghanistan, Afghan refugees likely will not wish to return to their home state. / Closed Door Policy: Afghan Refugees in Pakistan and Iran, Vol. 14, No. 2(G), at 4 (Feb. 2002) (posted online at www.hrw.org, by Human Rights Watch).

Further, much needed aid to Afghanistan has been delayed due to concerns about lack of security. Huge amounts of aid have already been commandeered. / Amir Zia, UN Reports Mazar-E-Sharif Executions, AP, Nov. 12, 2001.

Violence against Women

Women continue to be subject to acts of violence in areas controlled by Afghan armed groups. Since the Taliban fell from power last year, Pashtuns have been subject to numerous abuses, including sexual violence, killings, extortion and looting. Women and girls have been raped during looting, including in Balkh City. Women also have had to fight off attackers and have hid young female relatives out of fear of rape. / Paying for the Taliban's Crimes: Abuses Against Ethnic Pashtuns in Northern Afghanistan, Vol. 14, No. 2(C), at 1, 21-22 (Apr. 2002) (posted online at www.hrw.org, by Human Rights Watch).

Freedom of Movement

Women are still accompanied by close male relatives when they venture outdoors. / Latifa Popal, Human Rights Activist, Human Rights Without Borders, Lecture (on information obtained on fact-finding mission to Afghanistan in March 2002), May 4, 2002 (verifiable by contacting Latifa Popal at popallatifa@yahoo.com). / Teenage girls and women, who were jailed during the Taliban regime because they fled upon being forced to marry men against their wishes, are still in jail in Kabul. / Latifa Popal, Human Rights Activist, Human Rights Without Borders, Interview, May 12, 2002; Latifa Popal, Human Rights Activist, Human Rights Without Borders, Lecture, May 4, 2002.

Employment

Women in Afghanistan have long been deprived of the right to employment. However, at least some women have been employed in Afghanistan since the fall of the Taliban regime. / Report on the Situation of Human Rights in Afghanistan, U.N. CHROR 58th Sess., at para. 45, U.N. Doc. E/CN.4/2002/43. For example, a French company hired a civil engineer to oversee construction of a building. However, many others in Afghanistan have little or no means of supporting themselves. Some gather garbage to survive. / Latifa Popal, Human Rights Activist, Human Rights Without Borders, Lecture, May 4, 2002. Given recent longstanding violations of this right, further investigation into Afghan women's current rights to employment is warranted.

Health Care

Access to health care has been diminished in various ways. Fewer doctors are in Afghanistan, partly because there have been severe constraints on education for years. Proper medical equipment is also lacking. / Kristie Reilly, Left Behind: An Interview with RAWA's Sahar Saba, IN THESE TIMES, Mar. 29, 2002. / Many hospitals have been demolished in years of war. At least two are functioning, one of which opened late in 2001. In many areas, however, grave health problems such as malnutrition and digestive problems persist, due to not having necessities such as clean water. / Latifa Popal, Human Rights Activist, Human Rights Without Borders, Interview, May 12, 2002; Latifa Popal, Human Rights Activist, Human Rights Without Borders, Lecture, May 4, 2002. / Additionally, it is estimated that 16,000 women die in Afghanistan annually from pregnancy-related causes. / Report on the Situation of Human Rights in Afghanistan, U.N. CHROR 58th Sess., at para. 32, U.N. Doc. E/CN.4/2002/43.

Education

The educational system76, though it is beginning to be restored, is still not fully available to all who need it. Schools reopened in Afghanistan on March 23, 2002, six years after girls had last been allowed to attend school and women had last been allowed to teach. / Weekend Edition -

Sunday (NPR radio broadcast, Mar. 24, 2002) (available online at http://search1.npr.org/opt/collections/torched/wesu/data _wesu/seg_140450.htm). / Two million children arrived to school in Spring 2002, half of those eligible. Not only is attendance low, but thousands of schools are now unavailable, having been destroyed in years of war. / Weekend Edition - Sunday (NPR radio broadcast, Mar. 24, 2002) (available online at http://search1.npr.org/opt/collections/torched/wesu/data_wesu/seg_140450.htm).
For the first time in five years, women in Afghanistan took university examinations. In Kabul, 500 of the 3,000 people who took university entrance exams were women. / Report on the Situation of Human Rights in Afghanistan, U.N. CHR 58th Sess., at para. 45, U.N. Doc. E/CN.4/2002/43.

Conclusions and Recommendations

HRA respectfully recommends that the Sub-Commission:

Request that the Commission insist that Afghan armed groups abide by international human rights standards in relation to women, which includes, but is not limited to the repeal of all edicts and orders discriminating on the basis of gender;

Urge that the Interim Administration ensure full participation of women in the rebuilding of Afghan society;

Recommend to the Commission that a gender perspective be reintroduced into the mandate of the Special Rapporteur on Afghanistan;

Recommend to the Commission that the Special Rapporteur on Violence Against Women be sent to Afghanistan to investigate abuses reported there;

Recommend to the Commission that a thorough analysis be done on the legal system's impact on Afghan women and girls;

Urge the international community to increase aid to Afghanistan, to help Afghans regain security and prosperity, and to assist in the establishment of an independent Afghan judicial system;

Recommend to the Security Council to expand the International Security Assistance Force (ISAF) beyond Kabul to other urban areas, and to rural areas, including to protect human rights, including ensuring safe passage of food and other sorely needed aid to Afghanistan;

Urge the international community to assist in establishing and training an Afghan national police force;

Urge all armed forces in and near Afghanistan to refrain from injuring and killing innocents, and to otherwise respect international law;

Recommend that those persons perpetrating or supporting human rights abuses in Afghanistan be disarmed and held accountable for their crimes, regardless of their standing in Afghan society.

---